IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 6TH JULY 2007 / 15TH ASHADHA 1929

CRL.A.No. 199 of 2000()

CC.1/1999 of JUDL. MAGISTRATE OF FIRST CLASS COURT-I, TRIVANDRUM DT.20.11.99.

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APPELLANT:

S.MANIYAN, S/O.SREEDHARAN,
KURUP NIVAS, T.C.47/1822,
POONTHURA P.O.,
THIRUVANANTHAPURAM

BY ADV. SRI.S.RAJEEV

RESPONDENTS:
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1 B.AJI, S/O.BHASKARAN, PANAYIL VEEDU,
VIVEK NAGAR, KARIMANAM,
PAPPANAMCODE,
THIRUVANANTHAPURAM

2. STATE OF KERALA, REP.BY
PUBLIC PROSECUTOR , HIGH COURT
OF KERALA.

BY PUBLIC PROSECUTOR SRI.C.K.SURESH

THIS CRIMINAL APPEAL HAVING BEEN FINALLY HEARD ON 06/ 07 / 2007 , THE COURT ON THE SAMDE DAY DELIVERED THE FOLLOWING:

K.R. UDAYABHANU, J.

CRL.A.NO.199 of 2000

DATED THIS THE 6TH DAY OF JULY 2007

JUDGMENT

The appellant is the complainant in C.C.No.1/1999 in the file of the Judicial Magistrate of First Class-II,Thiruvananthapuram with respect to the offence under Section 138 of the Negotiable Instruments Act. The accused was acquitted under Section 256(1) of the Code of Criminal procedure. It is the case of the appellant that on the particular day, he happened to be absent on account of his illness. In the circumstances, the order of the court below is set aside. The court below is directed to permit the appellant/complainant to further pursue the matter and dispose of the case on merits. The parties shall appear before the court below on 08-08-2007. The appeal is allowed.

K.R. UDAYABHANU, JUDGE

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K.R. UDAYABHANU,J.

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CRL.A.NO. 199 of 2000

JUDGMENT

06-07-2007

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